

FISCAL IMPACT STATEMENT ON BILL NO. **S. 190**

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TO: The Honorable Glenn McConnell, Chairman, Senate Judiciary Committee
FROM: Office of State Budget, Budget and Control Board
ANALYSTS: Rodney Grizzle, Allan Kincaid and Torina Wood
DATE: March 14, 2007 SBD: 2007099

AUTHOR: Senator Ritchie PRIMARY CODE CITE: 16-3-655
SUBJECT: Sex Offender Treatment

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

A Cost to the General Fund (See Below)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

\$0 (No additional expenditures or savings are expected)

BILL SUMMARY:

Senate Bill 190 amends several sections of the Code of Laws of South Carolina, 1976, by increasing the age of a child under which an individual can be charged with a crime of a sexual nature against a minor. The Bill also adds several sections which would require an individual that has been convicted as a sex offender, to receive sex offender treatment while incarcerated and after release on parole or probation. The Bill would require that a sex offender, while on probation or parole, be electronically monitored for as long as they are on the sex abuse registry.

EXPLANATION OF IMPACT:

Department of Corrections (SCDC)

The Department indicates this Bill will have an impact on the General Fund of the State, but is unable to provide an accurate estimate. The Department states the total annual cost associated with incarcerating one inmate is \$13,170. Any increase in the annual average daily inmate population would result in an impact to the State's General Fund of approximately \$13,170 per inmate.

For FY 2005-06 SCDC admitted 174 inmates who's "most serious offense" was one of the offenses that would be affected by this Bill. The 174 admissions for FY 2005-06 represent the number admitted under the current statutes (i.e. current offense definitions). Had this Bill been in effect in FY 2005-06, it likely would have affected the number and distribution of these admissions. Seventy percent of the 174 admissions last year were for the offense of criminal sexual conduct with a minor – 2nd degree.

Department of Probation, Parole and Pardon Services

The Department indicates this Bill will have an impact on the General Fund of the State, but is unable to provide an accurate estimate. For FY 2005-06, PP&P had 80 new admissions related to the offenses enumerated in the Bill. The annual cost of electronic monitoring (excluding additional supervisory staff) is approximately \$3,630 per offender. Sixty-two percent of the 80 admissions for last year were for the offense of criminal sexual conduct with a minor – 2nd degree.

Department of Mental Health

The Department indicates this Bill would have a cost to the General Fund of the State. The Department does not know the exact number but anticipates an increase in the number of individuals who qualify for admission to the Sexually Violent Predator Program upon release from prison. The Department estimates that for each additional 15 residents, costs would increase by approximately \$617,020. The Department estimates at least one Program Manager would be hired to establish a certification process at a cost of \$56,017, including salaries and benefits. This cost could be offset by application and renewal fees collected for the certification process. The Department indicates any costs associated with creating a committee to study the Sexually Violent Predator Act are minimal and could be absorbed.

Judicial Department

The Department indicates this Bill will have a minimal impact on the General Fund of the State, which can be absorbed by the agency at the current level of funding. There will be no impact on Federal and/or Other Funds.

State Law Enforcement Division (SLED)

At this time the agency has not reported that there will be any cost to the General Fund of the State or on Federal and/or other funds.

LOCAL GOVERNMENT IMPACT:

None.

SPECIAL NOTES:

None.

Approved by:

A handwritten signature in black ink, appearing to read "Don Addy". The signature is fluid and cursive, with the first name "Don" and last name "Addy" clearly distinguishable.

Don Addy
Assistant Director, Office of State Budget